

Veterinary Medicine

April 2, 2003

A meeting of the Georgia State Board of Veterinary Medicine was held on Wednesday, April 2, 2003, at the Professional Licensing Boards Office in Macon, Georgia.

The following Board members were present:

Eugene T. Maddox, DVM, President
C. Gary Bullard, DVM
R. Flynn Nance, DVM
Angie Shurling Bushway, DVM
Jan Ekins, DVM
Yasemin Packtor

Others Present:

Anita O. Martin, Executive Director
Susan S. Hewett, Board Secretary
Emmett Ashley, DVM

President Maddox established that a quorum was present and the **Public Hearing** that was scheduled to begin at 9:30 a.m. was **called to order** at 9:41 a.m.

No written comments were received and no interested parties appeared to comment on these proposed rule changes. The hearing was **adjourned** at 9:43 a.m.

President Maddox established that a quorum was present and the meeting that was scheduled to begin at 9:35 a.m. was **called to order** at 9:45 a.m.

A motion was made by Dr. Bullard to **adopt Rule 700-6-.01** Applications for Registration of Veterinary Technicians. The motion was seconded by Dr. Bushway and was **approved** by the Board. (Attachment #4)

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6).

The board also voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6) to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Veterinary Medicine.

A motion was made by Dr. Bushway to approve the **minutes** from the February 5, 2003 meeting. The motion was seconded by Dr. Ekins and was **approved** by the Board.

A motion was made by Dr. Bushway to approve the **minutes** from the February 17, 2003 conference call meeting. The motion was seconded by Dr. Ekins and was **approved** by the Board.

A motion was made by Dr. Nance to approve the **minutes** from the March 3, 2003 conference call meeting. The motion was seconded by Dr. Bullard and was **approved** by the Board.

Stephen Goldsmith, DVM: The Board reviewed a request from Dr. Goldsmith requesting that the Board consider a **waiver of his license renewal fees** due to being on active duty with the U. S. Army and being deployed to Afghanistan. A motion was made by Dr. Nance to approve the waiver of his license renewal fees. The motion was seconded by Dr. Bullard and was **approved** by the Board.

Emmett Ashley, DVM: The Board met with Dr. Ashley regarding his inability to find a licensed veterinarian willing to fulfill the supervisory requirements set forth in his consent order. A motion was made by Dr. Bullard to allow Dr. Ashley the following modification to fulfill the consent order requirements regarding the practice under supervised practice:

- ❖ Attend the UGA Practitioner Program in the Small Animal Department for one month and have the program make available to the Board attendance records and a written evaluation of Dr. Ashley's participation in the program; or
- ❖ Require work under direct supervision for 4 months. Dr. Felix Smith or Dr. Ben Smith were approved by the Board to provide the supervision. Any other veterinarian to provide supervision must be approved by the Board. Said approval can be provided verbally by each Board member.

The motion was seconded by Dr. Bushway and was **approved** by the Board.

The Board reviewed the **administrative processing of reinstatement applications**. A motion was made by Dr. Nance to **allow** the administrative processing of reinstatement applications. Applications will be approved administratively once all criteria as outlined in the law and Board rules have been met. The administrative processing of licenses means that the Board staff has reviewed the documents and approved licensure based upon the laws, rules and board policies that pertain to that specific type of licensure. License reinstatements will be administratively processed in compliance with the Board's current Reinstatement/Reactivation Policy. The Board will review any applicant with an affirmative answer to the conviction or Board sanction questions. Administratively issued licenses are considered for a vote to ratify at the next regularly scheduled board meeting. The motion was seconded by Dr. Bullard and was **approved** by the Board.

Onice Coppage: The Board reviewed a letter from Mrs. Coppage regarding minimum standards of care as informational only.

The Board reviewed a list of new licensee candidates receiving licenses between January 16, 2003 through March 11, 2003. A motion was made by Dr. Bullard to **ratify** the following new licensee candidates:

- Veterinary candidate license #VET006827 through #VET006839 (See attachment 1)
- Veterinary Faculty candidate license #VETF000400 (See attachment 2)
- Veterinary Technician candidate license #VETT000395 through #VETT000396 (See attachment 3)

The motion was seconded by Dr. Bushway and was **approved** by the Board.

Lisa King, DVM: The Board reviewed a letter from Dr. King requesting termination of probation. A motion was made by Dr. Bullard that the **termination of probation** be approved upon receipt of a notarized request pursuant to section (e) of the consent order. The motion was seconded by Dr. Bushway and was **approved** by the Board.

Laura Adam, RVT: The Board reviewed a letter from Ms. Adam regarding continuing education for vet techs. The Board requested that a response be sent to Ms. Adam that the Board does not have the legal authority to approve her request.

Pamela Silverman: The Board reviewed a letter from Ms. Silverman requesting information from an applicant file. A motion was made by Dr. Bullard to **deny** the request. The motion was seconded by Dr. Ekins and was **approved** by the Board.

Internet Pharmacy Policy and Rule 700-8-.01: The Board reviewed the policy and rule. **No changes** were needed.

Budget Limitations: Travel Restrictions: The Board reviewed a memo from Bob Ray regarding budget limitations and travel restrictions as **informational only**.

Johnna Hoag: The Board reviewed an e-mail from Ms. Hoag regarding veterinary technicians duties. The Board requested that a response be sent to Ms. Hoag that the Board believes that the information addressed in the e-mail is practicing veterinary medicine.

Dr. Ekins made a motion to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k) and 43-1-19(h)(2) to deliberate on applications and enforcement matters and to receive information on applications and investigative reports. The motion was seconded by Dr. Bushway and voting in favor of the motion were those present who included Dr. Bullard and Dr. Nance, Dr. Maddox and Yasemin Packtor. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

S.W.L., DVM: The Board reviewed an application for licensure submitted by S.W.L., DVM. A **recommendation** was made by Dr. Nance to **approve** the application for licensure.

E.A.J., DVM: The Board reviewed an application for licensure submitted by E.A.J., DVM. A **recommendation** was made by Dr. Bullard to **deny** licensure.

G.W.S., DVM: The Board reviewed an application for licensure submitted by G.W.S., DVM. A **recommendation** was made by Dr. Bullard to **approve** the application for licensure.

M.J.A., DVM: The Board reviewed an application for reinstatement of license submitted by M.J.A., DVM. A **recommendation** was made by Dr. Bullard to **approve** the reinstatement of the license.

R.E.B., DVM: The Board reviewed an application for reinstatement of license submitted by R.E.B., DVM. A **recommendation** was made by Dr. Nance to deny the reinstatement of the license.

R.W.M., DVM: The Board reviewed an application for reinstatement of license submitted by R.W.M., DVM. A **recommendation** was made by Dr. Nance to **deny** the reinstatement of the license.

N.C.R., DVM: The Board reviewed an application for reinstatement of license submitted by N.C.R., DVM. A recommendation was made by Nance to **approve** the reinstatement of license upon receipt of an additional 5 hours of continuing education.

C.T.R., DVM: The Board reviewed an application for reinstatement of license submitted by C.T.R., DVM. A recommendation was made by Dr. Bullard to **approve** the reinstatement of the license.

A motion was made by Dr. Bushway to **approve** the recommendations made regarding applications. The motion was seconded by Dr. Bullard and was **approved** by the Board.

REPORTS:

Enforcement

- Reported on 1 case

Gary Bullard, Cognizant Member:

- **Investigative Interview with R.W., DVM:** A recommendation was made by Dr. Bullard to issue a Public Reprimand Consent Order with the following to be included:
 - \$1000 fine to be paid within 30 days of the docket date; and
 - Make changes within 6 months to all printed materials distributed in Georgia. All changes must be approved by the Board.

Reported on the following cases:

- VET030044 Recommendation to close the case.

- Richard Stobaeus Recommendation to accept signed Public Consent Order.

R. Flynn Nance, Cognizant Member

Reported on the following cases:

- 07-03-01-00066 Recommendation to request records & drug logs and refer to DEA.

Eugene Maddox, Cognizant Member

Reported on the following cases:

- VET030049 Recommendation to close with a letter of concern.
- VET030050 Recommendation to close the case.
- VET030051 Recommendation to notify that the Board upholds the previous decision.
- VET030058 Recommendation to close the case.
- VET030061 Recommendation to close the case.
- VET030071 Recommendation to send to Enforcement for a Cease and Desist order; refer this and previous complaints to the Pharmacy Board.
- VET030073 Recommendation to send to Enforcement for a Cease and Desist order.

A motion was made by Dr. Bushway to **accept** the recommendations made by Dr. Bullard, Dr. Maddox and Dr. Nance regarding the above referenced cases. The motion was seconded by Yasemin Packtor and was **approved** by the Board.

Dominick Crea, Board Attorney

- The following information from Mr. Crea's office was provided by the Executive Director in Mr. Crea's absence:
 - Public Consent Order on R.S., DVM
 - Summary Suspension on B.A.B., DVM

A motion was made by Dr. Nance to accept the Public Consent Order for Richard Stobaeus. The motion was seconded by Yasemin Packtor and was approved by the Board.

A motion was made by Dr. Bullard to **Summarily Suspend** the license of Billie Ann Boyd, DVM. The motion was seconded by Dr. Nance and was **approved** by the Board.

Anita Martin, Executive Director

- Provided information on the Minimum Standards rule process
- Presented reinstatement consent order on C.C.

A motion was made by Dr. Bullard to **accept** the reinstatement consent order on Gregory Cranford, DVM. The motion was seconded by Dr. Nance and was **approved** by the Board.

The next Board meeting is scheduled for June 11, 2003 at 9:30 a.m.

There being no further business to come before the Board, Dr. Bullard made a motion to **adjourn** the meeting. The motion was seconded by Dr. Bushway and **approved** by the Board.

The meeting was adjourned at 1:50 P.M.

Minutes recorded by:	<u>Susan S. Hewett, Board Secretary</u>
Minutes reviewed by:	<u>Anita O. Martin, Executive Director</u>
Chairman of the Board:	<u>Eugene T. Maddox, DVM</u>
Division Director:	<u>Mollie Fleeman</u>

Minutes approved by the Board at the July 2, 2003 meeting.

State of Georgia

County of Bibb

Affidavit Supporting Closing Of Public Meeting

The Georgia Open Meetings Act, O.C.G.A. 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question:

Comes now, Eugene T. Maddox, DVM the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the **Georgia State Board of Veterinary Medicine.**
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On **April 2, 2003**, this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the

best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

4. The legal authority for the closure of this meeting was:

43-1-2(k) and 43-1-19(h)(2)

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

**Review disciplinary files, review applications &
reinstatement applications**

Further the affiant sayeth not.

Eugene T. Maddox, DVM
(Presiding Officer)

Sworn and subscribed before me,

This 2nd day of April, 2003.

Regina F. Thompson
Notary Public